

IN RE: PETITION FOR SPECIAL EXCEPTION  
NE/S Rolling Road, 268' NW of  
the c/l of Windsor Mill Road  
(3109 Rolling Road)  
2nd Election District  
2nd Councilmanic District  
Hohman Bayer, Jr., et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-53-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception to permit a service garage (private) on B.L. zoned land as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared, testified and were represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petition were Kevin M. Bayer, Judith Rabb, and Bernard M. Willemain. Appearing as Protestants/Interested Parties were: Barbara Boone, Shaune E. George, and John Kwanya, all property owners residing behind the subject property.

Testimony indicated that the subject property, zoned B.L.-C.N.S., is currently improved with an office space and storage garage facility and a two-story dwelling with detached garage. The Petitioners testified that the subject property and adjoining property, split zoned B.L.-C.N.S. and D.R. 5.5, as depicted in Petitioner's Exhibit 1, have been in the Bayer family since at least the 1920s. The subject property is currently used by the Bayer family for the operation of a bus transportation business known as the Woodlawn Motor Coach Company. Testimony indicated that the family has operated a bus transportation business since the late 1920s, early 1930s. Testimony further indicated that the subject property was

zone<sup>d</sup> E - Commercial under the 1945 zoning regulations and later zoned B.L. under the 1955 zoning regulations. The Petitioners propose the construction of a new service garage, including office and storage space, to provide more adequate facilities and to upgrade their present business. The Petitioners testified that all buses are currently serviced on the property in a dwelling, located just off of Rolling Road, which will only house one bus at a time.

Kevin Bayer, son of the Petitioners and Maintenance Supervisor for the Woodlawn Motor Coach Company, testified that besides himself, there is one other full-time mechanic and one full-time helper. He further testified that in the past, due to inadequate space, maintenance work on the buses was performed out in the open. The Petitioners propose constructing the new facility with a three-bay service area so that all work can be done indoors. Further, Mr. Bayer indicated that the buses are currently cleaned and washed out in the open. The new facility will have a wash bay which will permit the cleaning of vehicles inside. All washing will be done by hand without any machine assistance.

Hohman Bayer testified that the business currently owns 56 school buses and 3 motor coaches. He indicated that the school buses provide service mainly to Baltimore County public schools and various private schools, with some charter service for schools, churches, and various other organizations. During the summer, the school buses are used for day care and day camp transportation.

Testimony indicated that the Protestants reside in the new residential neighborhoods which have been developed over the last couple of years to the rear of the subject property. The Protestants' main concerns are the proposed fence surrounding the subject property and proposed

screening to the rear for aesthetic and security reasons. Testimony indicated that recently individuals have crossed through the neighborhoods into the bus lot, and vice versa, vandalizing the property. All parties agreed that the construction of a six-foot fence would help curb the cutting through and vandalism of property. The Petitioners further indicated that they would be screening the rear of the property in a fashion deemed acceptable by the Office of Current Planning and the residents, by planting an 8-foot buffer area which would improve the division of the property lines. The Petitioners also agreed to fence and plant the adjoining commercial property owned by them, but not subject to this proceeding, which is identified on Petitioner's Exhibit 1 as property owned by Hohman and Katherine Bayer and used as "Ex. bus parking." Testimony presented by both parties indicated that the proposed paving of the property as depicted on Petitioner's Exhibit 1 will, in fact, improve a dust problem which currently exists. Testimony further indicated that any lights placed on the property shall be shielded and directed in such a manner that they do not reflect or illuminate onto any residential properties.

Judith Rabb, a Planner with Rosenfelt and Woolfolk, testified regarding the site plan introduced as Petitioner's Exhibit 1. Ms. Rabb testified that she has a Masters degree in Planning and has been working in the field for approximately 20 years. She testified that each of the conditions set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) will be met by the implementation of the project as set forth in Petitioner's Exhibit 1. She further testified that in her professional opinion, the proposed improvements to the property will benefit the health, safety and general welfare of the community.

Bernard Willemain, a Planner for the past 46 years with a Graduate's Degree from M.I.T., testified that he has inspected the subject property and reviewed the plans as depicted in Petitioner's Exhibit 1 and strongly feels that all the requirements of Section 502.1 will be met by this project. He testified, as did Ms. Rabb, that the development of the property in accordance with Petitioner's Exhibit 1 will be a vast improvement for the neighborhood from the current conditions.

It is clear that the B.C.Z.R. permits the use proposed in a B.L. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of August, 1988 that the Petition for Special Exception to permit a service garage (private) on B.L. zoned land, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The property shall be landscaped in compliance with the Baltimore County Landscaping Manual. Within sixty (60) days of the date of this Order, the Petitioner shall submit a Landscaping Plan to the Office of Current Planning for approval and a copy of same shall be forwarded to the Deputy Zoning Commissioner for approval and inclusion in the case file.
- 3) In addition to the required landscaping, the Petitioner shall provide a 6-foot high fence along the rear of the property and adjoining property owned by Hohman and Katherine Bayer, identified on Petitioner's Exhibit 1 as being used for "EX. BUS PARKING."
- 4) In addition to the fence, the Petitioner shall screen the rear of the subject property by planting shrubs along the proposed fence in the manner and quantity deemed appropriate by the Office of Current Planning's Landscaping Division.

- 5) All service work on vehicles shall be done inside the garage building.

ANN:bjs

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

August 25, 1988

Newton A. Williams, Esquire  
Nolan, Plumbhoff & Williams  
300 E. Joppa Road  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION  
NE/S Rolling Road, 268' NW of the c/l of Windsor Mill Road  
(3109 Rolling Road)  
2nd Election District; 2nd Councilmanic District  
Case No. 89-53-SFX

Dear Mr. Williams:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

Enclosure

cc: Ms. Barbara Boone  
3234 Ripple Road, Baltimore, Md. 21207

Mr. Shaune E. E. George  
7910 Jody Knoll Road, Baltimore, Md. 21207

Mr. John Kwanya  
3103 Northmont Road, Baltimore, Md. 21207

People's Counsel

File

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a service garage (private) in a B.L. zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

Address

City and State

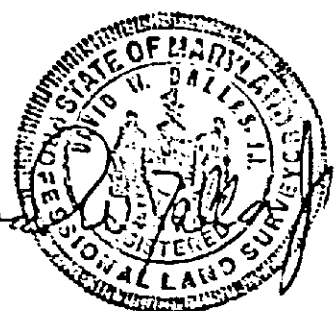


# VT ASSOCIATES, INC.

SURVEYING & ENGINEERING  
4932 Hazelwood Avenue  
Baltimore, Maryland 21206  
866-2001

## Property Description (Zoning)

BEGINNING on the northeast side of Rolling Road, variable width, at the distance of 268 feet, more or less in a northwesterly direction from the centerline intersection of Rolling Road and Windsor Mill Road thence running with and binding on the northeast side of said Rolling Road the two following courses and distances: northwesterly by a line curving to the left having a radius of 2321.63 feet for a distance of 13.12 feet and north 44 degrees 14 minutes 11 seconds west 53.71 feet thence leaving said road and running the six following courses and distances: north 42 degrees 48 minutes 29 seconds east 88.96 feet, north 48 degrees 33 minutes 20 seconds east 129.70 feet, south 53 degrees 24 minutes 59 seconds east 279.48 feet, south 54 degrees 57 minutes 01 seconds west 130.29 feet, north 54 degrees 06 minutes 47 seconds west 135.10 and south 72 degrees 25 minutes 51 seconds west 127.39 feet to the place of beginning. The improvements thereon being known as No. 3109 Rolling Road.



## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

89-53-X

District: 2nd Date of Posting: July 20, 1988  
Posted for: Special Exemption  
Petitioner: Hobman Beyer, Jr. et al.  
Location of property: NE/5 Rolling Rd. 258' NW Centerline of Rolling Rd.  
Location of Sign: NE/5 Rolling Rd. 258' NW Centerline of Rolling Rd.  
Remarks: See front of subject property at 3109 Rolling Rd.  
Posted by: J. J. Gato Date of return: July 21, 1988  
Number of Signs: 1

## "DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., July 14, 1988  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 14, 1988

THE JEFFERSONIAN,

S. Zake Orlean

Publisher

# 33.75

\$67.95

Hel

THE NORTHWEST STAR, INC.  
23 Walker Avenue, Suite 305  
Pikesville, MD 21208

## INVOICE

No 15024

TO: Robyn Clark, Zoning Office  
Room 113 County Office Bldg.  
111 W. Chesapeake Ave.  
Towson, MD. 21204

DATE: July 13, 1988  
CUSTOMER'S ORDER NO.:  
SALES PERSON:  
BY:

QUANTITY	DESCRIPTION	PRICE	AMOUNT
7/13	Legal ad, 3 col. inches P.O. #01929 REQ. #M15087	\$6.40	19.20

ORIGINAL Thank You!

## 89-53-X BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 25th day of June, 1988.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: Hobman Beyer, Jr. et al. Received by: James E. Dyer  
Petitioner's Attorney: Newton A. Williams Chairman, Zoning Plans Advisory Committee

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

Date: 7/20/88

Re: Mr. & Mrs. Hobman Beyer, Jr.  
3111 Rolling Road  
Baltimore, Maryland 21207

Re: Petition for Special Exemption  
CASE NUMBER: 89-53-X  
NE/5 Rolling Road, 258' NW Centerline Windsor Mill Road  
(3109 Rolling Road)  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Hobman Beyer, Jr., et al.  
HEARING SCHEDULED: FRIDAY, AUGUST 5, 1988 at 9:00 a.m.

Date: Mr. & Mrs. Beyer

Please be advised that \$67.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

JRH:gs  
cc: Newton A. Williams, Esq.  
File

BALTIMORE  
866 21 700  
COUNCIL

## CERTIFICATE OF PUBLICATION

Pikesville, Md., 7/13 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 14th day of July 1988 the first publication appearing on the 13th day of July, 1988 the second publication appearing on the 14th day of July, 1988 the third publication appearing on the 15th day of July, 1988

THE NORTHWEST STAR

Manager Jim Cuth

Cost of Advertisement 19.20

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

June 20, 1988

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exemption  
CASE NUMBER: 89-53-X  
NE/5 Rolling Road, 258' NW Centerline Windsor Mill Road  
(3109 Rolling Road)  
2nd Election District - 2nd Councilmanic  
Petitioner(s): Hobman Beyer, Jr., et al.  
HEARING SCHEDULED: FRIDAY, AUGUST 5, 1988 at 9:00 a.m.  
Special Exemptions: A service garage (privates) in a U. zone.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Hobman Beyer, Jr., et al.  
Newton A. Williams, Esq.  
File

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 52919  
DATE: 7/20/88 ACCOUNT: 01-615  
AMOUNT: \$ 100.00  
RECEIVED FROM: Robert Haines  
FOR: Posting of Sign & Post  
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 52931  
DATE: 7/20/88 ACCOUNT: 01-615  
AMOUNT: \$ 100.00  
RECEIVED FROM: Woodlawn Motor Coach  
FOR: Posting of Sign & Post  
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 52883  
DATE: 7/20/88 ACCOUNT: 01-615  
AMOUNT: \$ 67.95  
RECEIVED FROM: Robert Haines  
FOR: Posting of Sign & Post  
VALIDATION OR SIGNATURE OF CASHIER



## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 26, 1988

COUNTY OFFICE BLDG.  
111 M. Chesapeake Ave.  
Towson, Maryland 21204

000

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial DevelopmentNewton A. Williams, Esquire  
Nolan, Plumbhoff & Williams  
300 East Joppa Road  
Towson, Maryland 21204RE: Item No. 445 - Case No. 89-53-X  
Petitioner: Hohman Beyer, Jr., et ux  
Petition for Special Exception

Dear Mr. Williams:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: Rosenfelt & Woolfolk Inc.  
Suite Eight  
Owings Mills Professional Center  
10706 Reisterstown Road  
Owings Mills, Maryland 21117Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500Paul H. Reincke  
Chief

June 21, 1988

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204Dennis F. Rasmussen  
County Executive

Re: Property Owner: Hohman Beyer, Jr., et ux

Location: NE/S Rolling Road, 268' NW c/l Windsor Mill

3109 Rolling Road

Item No.: 445

Zoning Agenda: Meeting of 6/21/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/31

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
494-3554

July 18, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204Dennis F. Rasmussen  
County ExecutiveItem No. 445 - ZAC - Meeting of June 21, 1988  
Property Owner: Hohman Beyer, Jr., et ux  
Location: NE/S Rolling Rd.  
Existing Zoning: B.L. - C.N.S.

Dear Mr. Haines:

Lack of adequate information makes it difficult to make the necessary comments. More information, therefore, is requested on the use of the car wash (public v.s. private) and the intended use for the 50 ft. deep parking spaces. If the car wash is to be used as a retail use, adequate car stacking according to zoning regulations needs to be provided.

Very truly yours,

Stephen E. Weber, P.E.  
Assistant Traffic Engineer

SEW/cps

RECEIVED  
JUL 19 1988  
ZONING OFFICE

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

Date: July 26, 1988

FROM: P. David Fields, Director  
Office of Planning and Zoning

SUBJECT: Zoning Petition #89-53-X

This office has been informed by the Bureau of Traffic Engineering that they cannot comment on the proposal because of the lack of sufficient information. Consequently, this office must oppose the granting of the subject request until or unless the Bureau of Traffic Engineering is able to complete their review and find the proposal to be satisfactory. Further, this office needs additional information (e.g. landscaping, uses of adjacent properties); therefore, it is requested that the petition be held in abeyance until the necessary information has been provided.

It should be noted that the development must comply with the standards set forth in the Baltimore County Landscape Manual. For details concerning this matter, the petitioner should contact Mr. Avery Hargen of the Division of Current Planning and Development.

David Fields per *[Signature]*  
P. David Fields, Director  
Office of Planning and ZoningPDF/jat  
cc: Shirley Hess, People's Counsel  
J.G. Haswell  
Zoning FileRECEIVED  
JUL 28 1988  
ZONING OFFICE

CPS-008

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT6-22-88  
DateZoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item #445, Zoning Advisory Committee Meeting of 6-21-88

Property Owner: *Hohman Beyer Jr.*Location: *NE/S Rolling Rd.* District *2*Water Supply: *metro* Sewage Disposal: *metro*

## COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3011.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- ( ) Prior to testing of existing structures, petitioners must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- ( ) Soil percolation tests, have been \_\_\_\_\_, must be \_\_\_\_\_, conducted.
- ( ) The results are valid until \_\_\_\_\_.
- ( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test \_\_\_\_\_ shall be valid until \_\_\_\_\_.
- ( ) If not acceptable and must be repeated, this must \_\_\_\_\_ be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Other: *all water wells from which water must be drawn for sanitary uses**[Signature]*BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENTBaltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
494-3533J. Robert Haines  
Zoning Commissioner

August 30, 1988

Newton A. Williams, Esquire  
Nolan, Plumbhoff & Williams  
300 E. Joppa Road  
Towson, Maryland 21204Dennis F. Rasmussen  
County Executive

RE: Petition for Special Exception

NE/S Rolling Road, 268' NW of the c/l of Windsor Mill Road

(3109 Rolling Road)

2nd Election District - 2nd Councilmanic District

Hohman Beyer, Jr., et ux - Petitioners

Case No. 89-53-SFX

Dear Mr. Williams:

By cover letter dated August 25, 1988, a copy of the decision rendered in the above-captioned matter was forwarded to you. The first page of the Order incorrectly identified the Case Number as 89-53-X. Please excuse the oversight and change the Case Number on your copy of the Order to 89-53-SFX.

If you have any questions on the subject, please do not hesitate to call this office.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: Ms. Barbara Boone  
3234 Ripple Road, Baltimore, Md. 21207Mr. Shaune E. E. George  
7910 Jo-Jy Knoll Road, Baltimore, Md. 21207Mr. John Kwanya  
3103 Northmont Road, Baltimore, Md. 21207

People's Counsel

File

BALTIMORE COUNTY, MARYLAND  
Inter-Office Correspondence89-53  
W-88-107Copy For 89-53-X  
FILEAl Wirth - SWW  
Bob Bowling - Dev. Engr.  
Gary Kerns - Project Planning  
Rahim Fami - Traffic Engr.  
Larry Pilson - Env. Protection  
Carl Richards - Zoning  
Captain Kelly - Fire Dept.  
Pat Kinser - Rec. & Parks  
Chuck Weiss - Sanitation  
Larry Bocato - SHA

Date: November 2, 1988

FROM: Tom Watson  
Bureau of Public ServicesSUBJECT: Woodlawn Motor Coach  
Rosenfelt & Woolfolk 356-4600

The subject property was granted a waiver of CRG meeting by the Office of Planning & Zoning. However, CRG approval signatures must be obtained.

Please review the attached plan for concurrence with current development regulations and give up your approval or comments by November 25, 1988. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office of the plan.

Show all uses of each structure and surrounding areas. Show all parking calculations for each use. Designate areas for storage of damaged or disabled motor vehicles and note compliance with section 405-A. Correct all zone line locations as shown on 4 and 5 G NW 1" = 200' scale zoning maps. Please provide all blue commercial checklist information.

SEE SHEET 2  
ADDITIONAL COMMENTS.

JAN:TW:bjs

Attachment

cc: File

RECEIVED  
NOV 14 1988  
ZONING OFFICE

## Additional Comments

March 31, 1989

The Special Exception Case Number 89-53-X is limited to the 1.1 acres as shown on the Petitioners Exhibit Number 1 and delineated by the zoning description. A review by the Deputy Zoning Commissioner affirmed the limitation. Therefore the area limited to these 1.1 acres agrees with the CRG Plan.

An on site inspection of the entire property revealed that the area not covered by the Special Exception has been used for some time for bus parking though in order to verify the legal status of the property a Special Hearing to establish a nonconforming use would be required.

The inspection of the site also indicated that a violation exists on landscaping and fencing restrictions involving the 1.1 acres covered by the zoning hearing.

*[Signature]*  
John Lewis  
Planning and Zoning Associate III

JL/jaw



# VT ASSOCIATES, INC.

SURVEYING & ENGINEERING  
4932 Hazelwood Avenue  
Baltimore, Maryland 21206  
866-2001

COPY OF DESCRIPTION  
FROM ZONING CASE FILE  
# 89-53-X

## Property Description (Zoning)

BEGINNING on the northeast side of Rolling Road, variable width, at the distance of 268 feet, more or less in a northwesterly direction from the centerline intersection of Rolling Road and Windsor Hill Road thence running with and binding on the northeast side of said Rolling Road the two following courses and distances: northwesterly by a line curving to the left having a radius of 2321.63 feet for a distance of 13.12 feet and north 44 degrees 14 minutes 11 seconds west 53.71 feet thence leaving said road and running the six following courses and distances: north 42 degrees 48 minutes 29 seconds east 88.96 feet; north 48 degrees 33 minutes 20 seconds east 129.70 feet; south 53 degrees 24 minutes 59 seconds east 279.49 feet; south 54 degrees 57 minutes 01 seconds west 130.29 feet; north 54 degrees 06 minutes 47 seconds west 135.10 and south 72 degrees 25 minutes 51 seconds west 127.39 feet to the place of beginning. The improvements thereon being known as No. 3109 Rolling Road.



# 445

## INTER-OFFICE CORRESPONDENCE

TO: Robert Covehey, Chief  
Public Services

FROM: Stanley J. Schapiro,  
Deputy County Attorney

RE: CRG Plan - Woodlawn Motor Coach

I have examined the Zoning file for this development where the original petitioners requested a Special Exception to permit a service garage on a RL zoned land.

The plan that was adopted as Petitioner's Exhibit #1, in the Order of the Deputy Zoning Commissioner, does not conform to the CRG plan.

I believe it is in order for Planning and Zoning to require that the Plan (Exhibit #1) for the Special Exception be amended to conform to the CRG Plan.

*Stanley J. Schapiro*  
Deputy County Attorney

SJS:gh

cc: Gary Kearns, Chief  
Current Planning & Development  
Carl Richards - Development Control

FROM THE DESK OF J. ROBERT HAINES

TO: Ann Nastarowicz  
James E. Dyer  
W. Carl Richards  
James H. Thompson

See me immediately  
Discuss with me  
Prepare draft response  
Please follow up  
Collect \$20.00 fee  
Please handle  
Please attend meeting  
Prepare written report  
Please file  
Set up conference  
Other

The Honorable Robert Haines, Esquire  
Baltimore County Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Commissioner Haines:

RE: The Bayer Property (Woodlawn Motor Coach),  
Case No. 89-53-X, scheduled Hearing Date  
Friday, August 5, 1988 at 9:00 a.m.

Thank you for the very prompt attention by you and by your staff to our letter of June 13, 1988, asking for a hearing well in advance of the council vote on this issue scheduled for October of this year.

By a carbon copy of this letter I am advising Councilman Mintz of the status, that is the Hearing on August 5th at 9:00 a.m., and assuring him and you that we will be presenting what we consider to be a very full and appropriate case.

Looking forward to the resolution of this case through the hearing, or if necessary through the mapping process, I am

Respectfully,

*Newton A. Williams*  
Newton A. Williams

NAW/psk

cc: The Honorable Melvin G. Mintz  
Mrs. Adele Kass  
Mr. Hohman Bayer, Jr.  
Mr. Joseph P. Comma, Broker  
Mrs. Judith M. Rabb, P.P.  
Mr. Bernard Willemsin, Land Planner

0003A

## LAW OFFICES

### NOLAN, PLUMHOFF & WILLIAMS

SUITE 1105, HAMPTON PLAZA  
300 EAST JOPPA ROAD  
TOWSON, MARYLAND 21204-3012

(301) 823-7800  
TELEFAX (301) 896-2765

August 17, 1988

## OF COUNSEL

RALPH E. DEITZ  
9026 LIBERTY ROAD  
RANDALLSTOWN, MARYLAND 21133

(301) 922-2121

\*ALSO ADMITTED IN D.C.

The Honorable Ann Nastarowicz, Esquire  
Deputy Zoning Commissioner for Baltimore County  
County Office Building  
Towson, Maryland 21204

Dear Commissioner Nastarowicz:

RE: Woodlawn Motor Coach/the Bayer Property  
Case No.: 89-53-X

As you will recall at the end of the hearing on August 5th, the memo from Mr. Fields dated July 26, 1988 was discussed.

Following the hearing, I spoke to Traffic Engineering, and I was assured that they had reviewed the revised plan of August 1, 1988, and that their questions had been answered.

In like manner, it is my understanding that Ms. Rabb has been in touch with Avery Harden in Current Planning regarding landscaping.

Here again it is my understanding that Ms. Rabb and Avery have reached certain conclusions regarding the property, both are covered by the special exception and the two (2) flanking properties.

By a carbon copy of this letter directed to Traffic Engineering and to Current Planning, I am asking them to confirm this to you by appropriate memo.

Thanking you and the various other Departments for your aid in this matter, I am,

Respectfully,

*Newton A. Williams*  
Newton A. Williams

NAW/psk

cc: Mr. David Fields, Director  
Mr. Stephen Webber, Deputy Traffic Engineer  
Mr. Rahim Famili, Assistant Traffic Engineer  
Mr. Avery Harden  
Woodlawn Motor Coach  
Mr. Joseph P. Comma  
Ms. Judith M. Rabb, P.P.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Barbara B. Bower	3134 Ripple Rd.
2. Louis E. B. Bower	1910 Jolly Knoll Rd.
John KWAMYA	3103 NORTHMOUNT RD. 21207

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Kim W. Bower	8924 Dogwood Rd. 21207
Judith Rabb	Brownfield, 10706 Ragsdale Rd. 21207
David M. Willemsin	42115 Dwyer Hill Rd. 21207
Joseph P. Comma	1115 Godesburg Rd. 21207
Barbara B. Bower	5359 E. 11th Ave. 21207
Robert W. Bower	9408 Dogwood Rd. 21207
Robert W. Bower	9408 Dogwood Rd. 21207



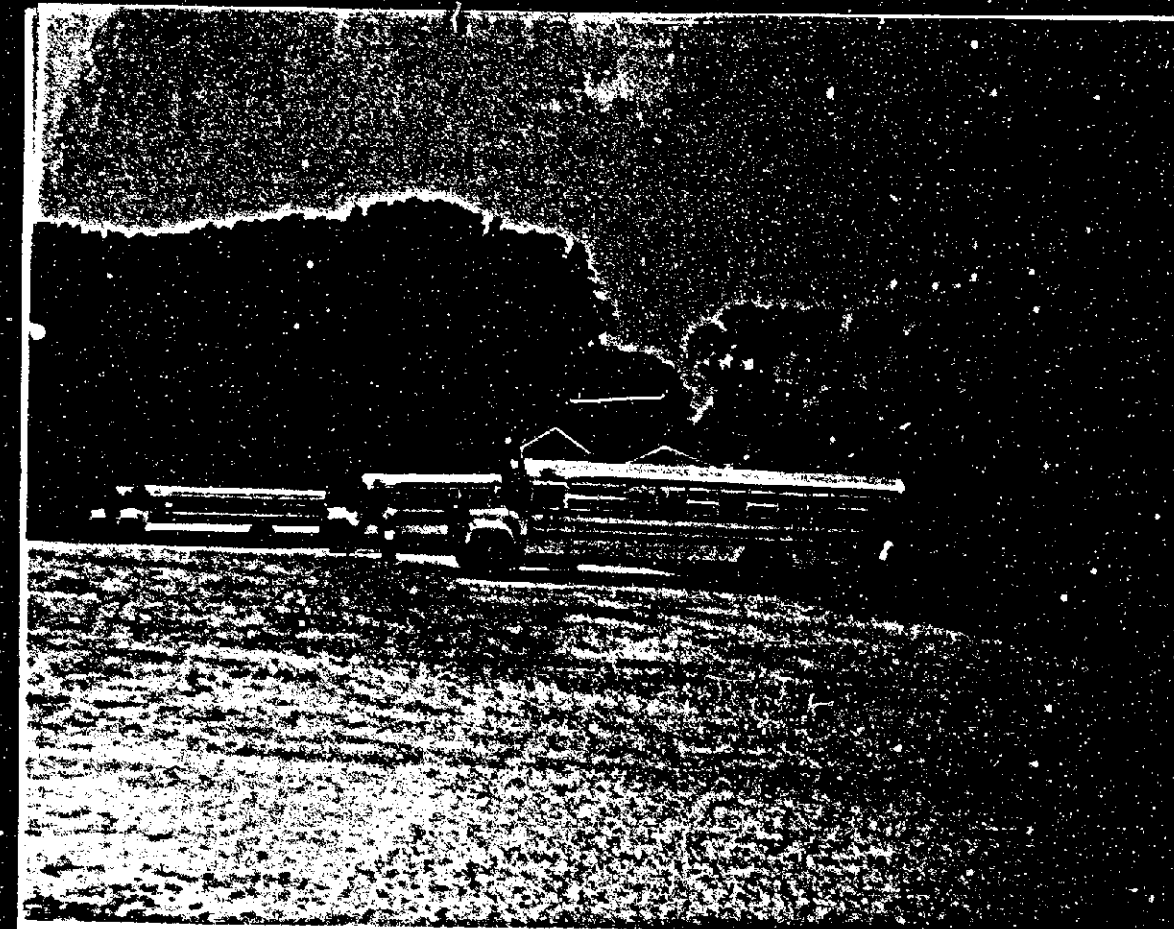


A. Woodlawn Motor Coach frontage on the E/S of Rolling Road, house to be replaced by proposed garage, office



B. Looking N on Rolling Rd. from opposite the site

PETITIONER'S  
EXHIBIT 2



C. Looking North across existing lot.

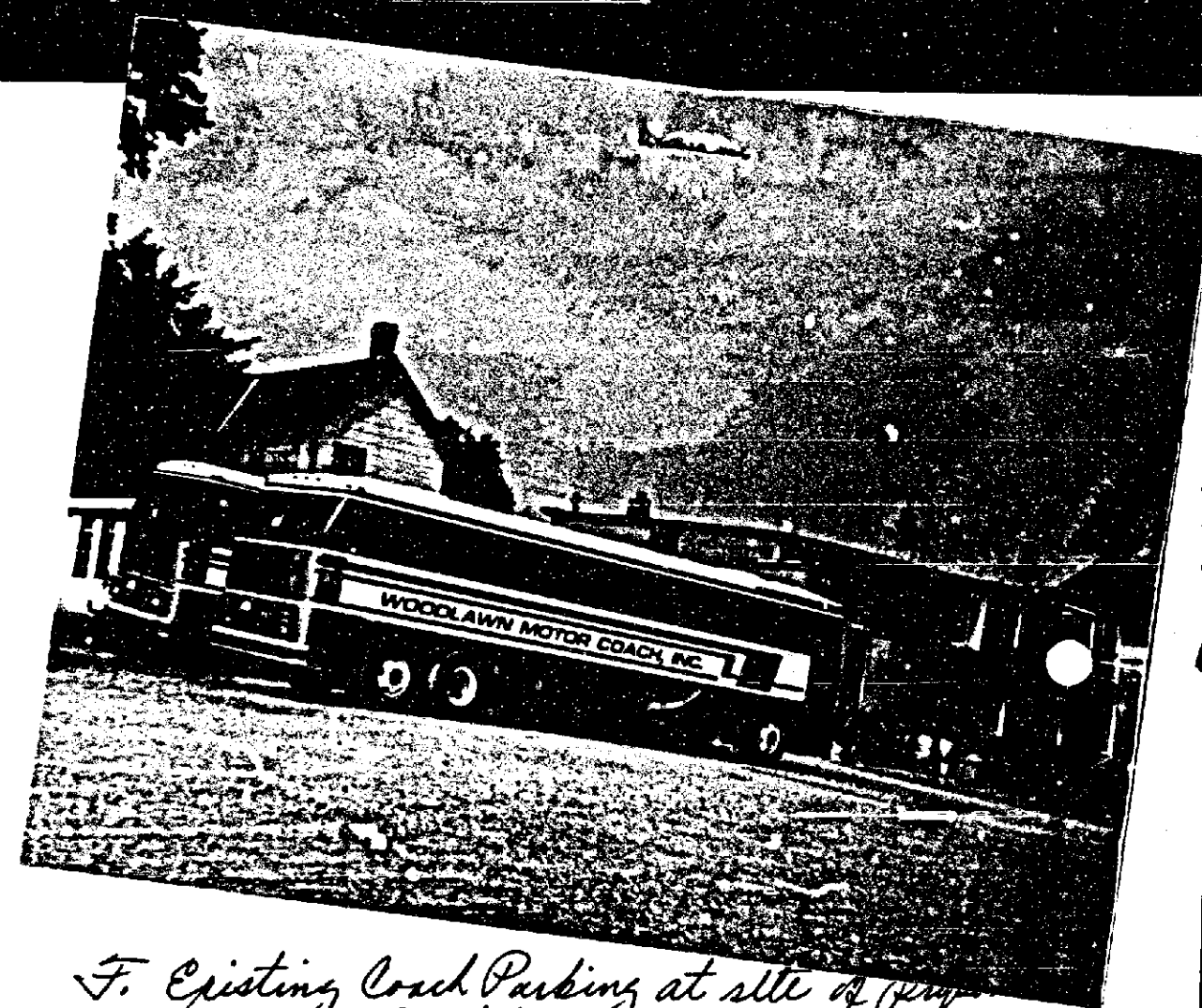


D. Looking South toward Windsor Mill Road intersection with Rolling Road from NW/c of site

PETITIONER'S  
EXHIBIT 2



E. Existing Bus parking at N end of site



F. Existing Coach Parking at site of new building

PETITIONER'S  
EXHIBIT 2



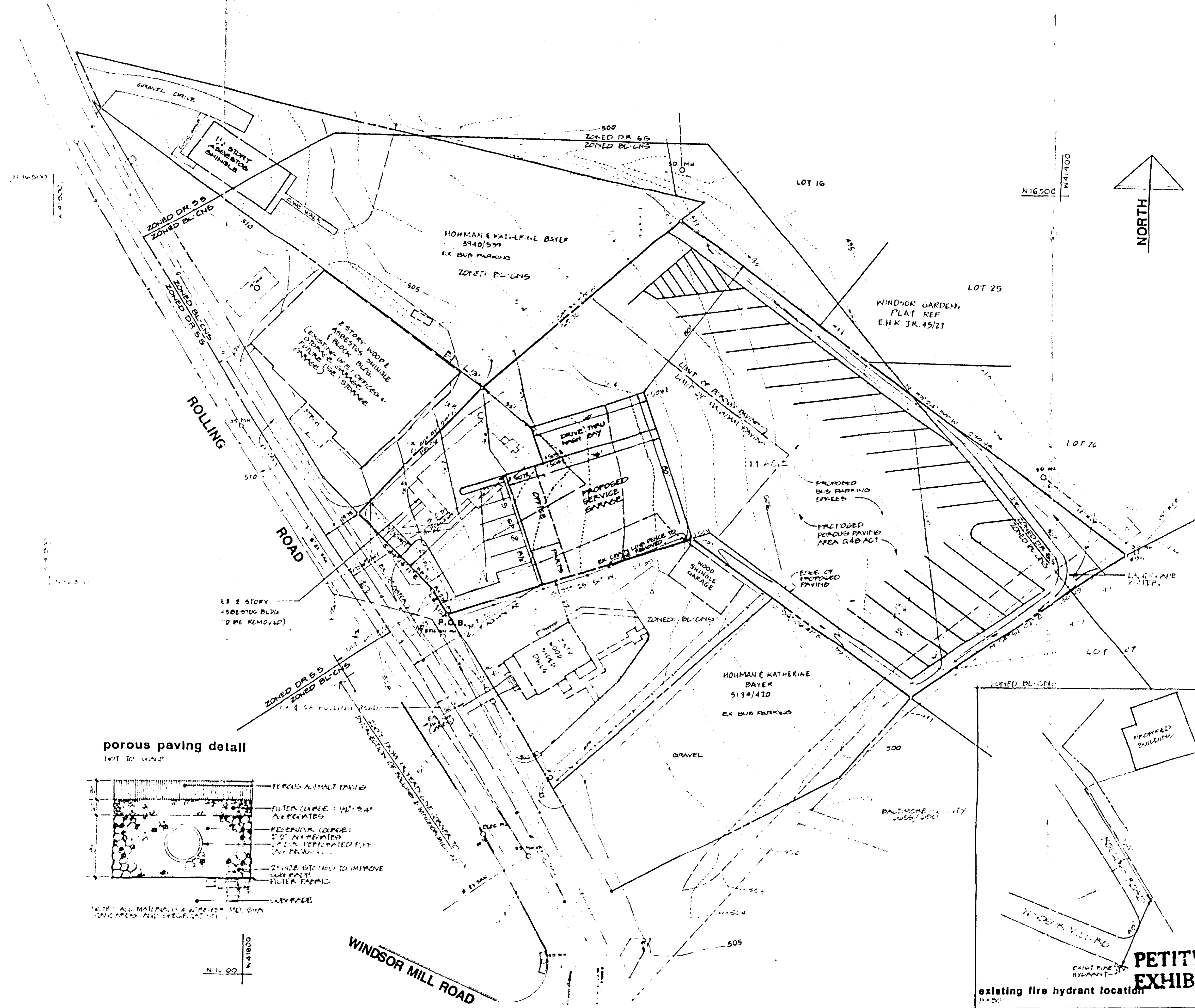
G. Looking N on Rolling Road from site frontage



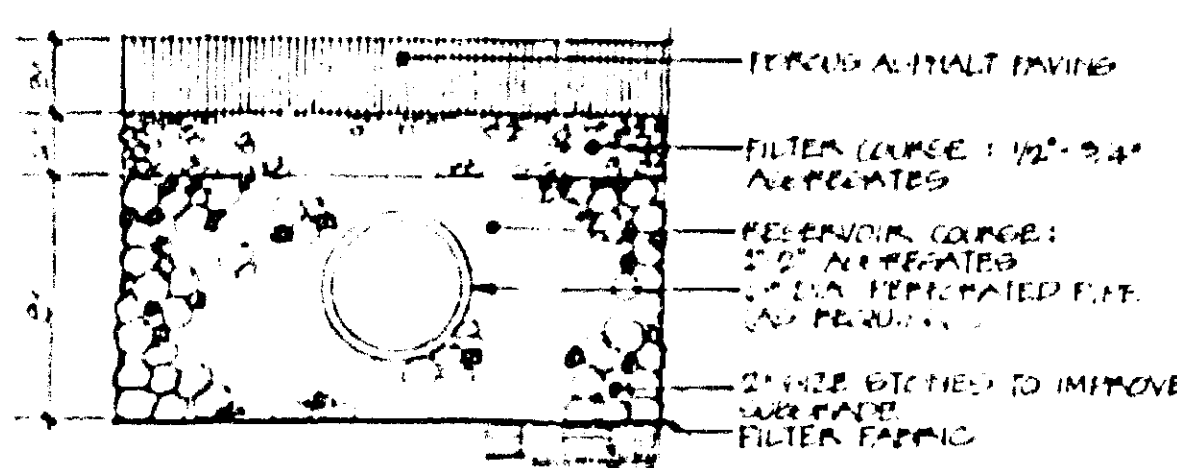
H. Brown shingle house to remain

PETITIONER'S  
EXHIBIT 2

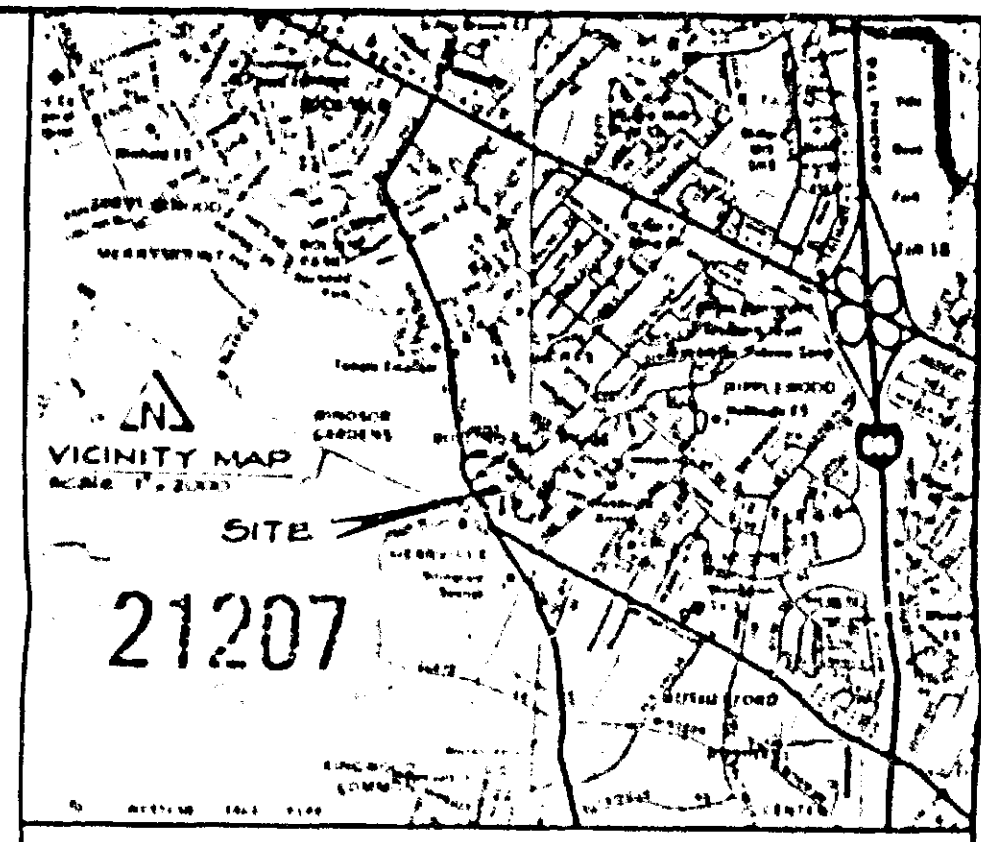




porous paving detail  
NOT TO SCALE



NOTE: ALL MATERIALS & METHODS TO BE USED IN CONSTRUCTION OF THIS PROJECT SHALL BE APPROVED BY THE CITY OF BALTIMORE.



PLAT FOR SPECIAL EXCEPTION

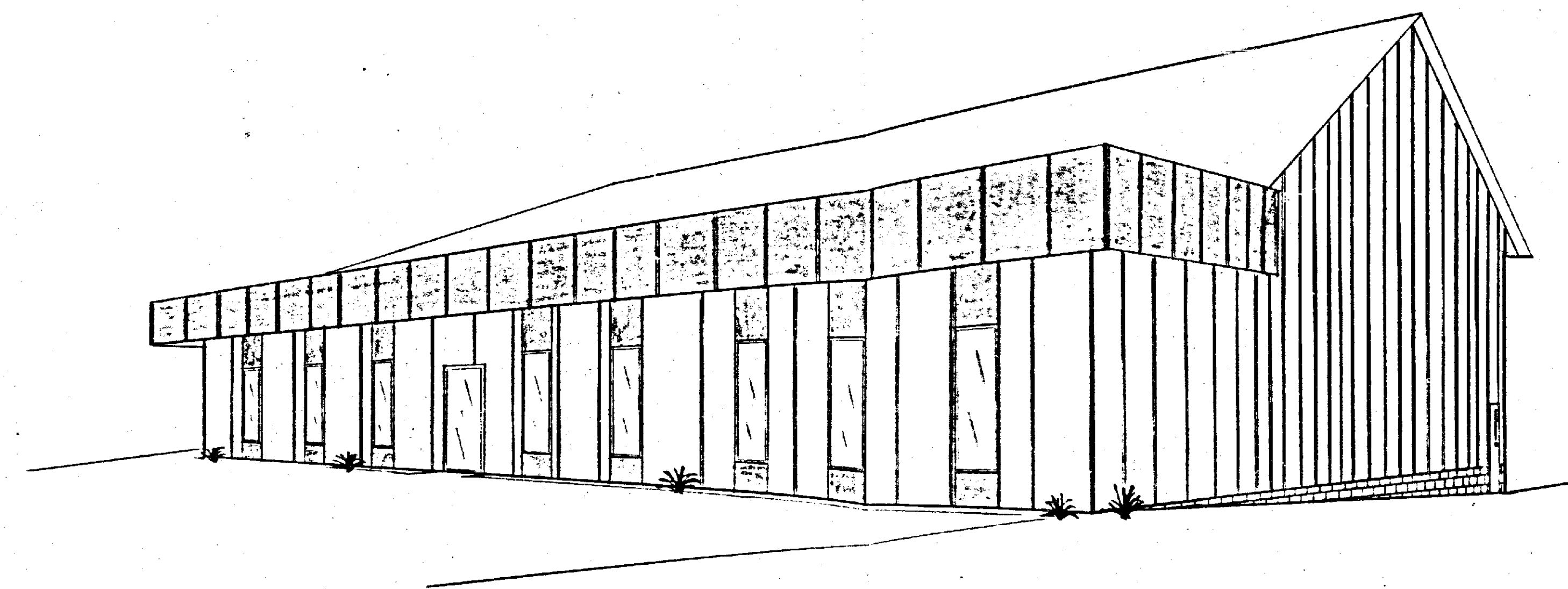
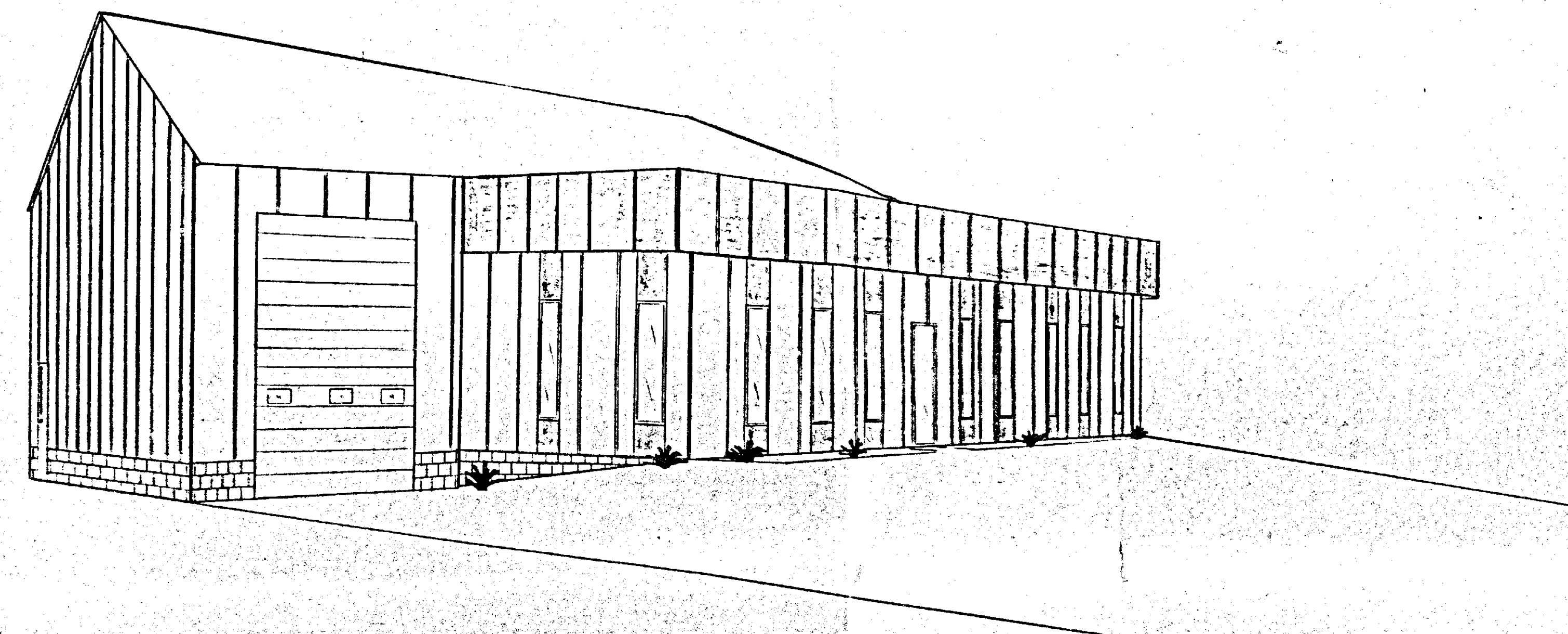
WOODLAWN MOTOR COACH  
ELECTION DISTRICT NO. 2  
BALTIMORE COUNTY, MARYLAND

REVISIONS  
DATE: 01/1/88  
JOB NO: 181/001  
DESIGNED: LVB  
DRAWN: EMD  
CHECKED: [Signature]  
DRAWING NUMBER: SITE-1

SCALE: 1"=20'  
DATE: 01/1/88  
JOB NO: 181/001  
DESIGNED: LVB  
DRAWN: EMD  
CHECKED: [Signature]  
DRAWING NUMBER: SITE-1

ROSENFELT & WOOLFOLK  
ARCHITECTS & PLANNERS  
1000 E. 10th Ave.  
Baltimore, MD 21202  
Telephone: (301) 366-6000

PETITIONER'S EXHIBIT



PETITIONER'S  
EXHIBIT 3

PETITIONER'S  
EXHIBIT 3

AM CONCEPTS	
WOODLAWN MOTOR COACH	
DESIGNED BY: MMB	DATE: 6-16-88
SCALE: NONE	TYPE: PERSPECTIVE